

08-27-01

PTO/SB/05 (11-00)

Approved for use through 10/31/2002 OMB 0651-0032

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J1062 U.S. PTO

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 032580.0028.UTL

First Inventor Bardy, et al.

Title BIPHASIC WAVEFORM FOR ANTI-TACHYCARDIA PACING FOR A SUBCUTANEOUS IMPLANTABLE CARDIOVERTER-DEFIBRILLATOR

Express Mail Label No. EL573394877US

(Only for new nonprovisional applications under 37 CFR 1.53(b))

J1062 U.S. PTO
08/27/01

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APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. Applicant claims small entity status.
See 37 CFR 1.27.
3. Specification
(preferred arrangement set forth below) [Total Pages 74]
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawing(s) (35 U.S.C. 113) [Total Sheets 10]
5. Oath or Declaration [Total Pages]
 - a. Newly executed (original or copy)
 - b. Copy from a prior application (37 CFR 1.63 (d))
(for continuation/divisional with Box 18 completed)
 - i. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. Assignment Papers (cover sheet & document(s))
10. 37 CFR 3.73(b) Statement Power of Attorney
(when there is an assignee)
11. English Translation Document (if applicable)
12. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
13. Preliminary Amendment
14. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. Other: Application Cover Sheet

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP)

of prior application No.: 09/663,607 and 09/663,606

Prior application information

Examiner _____

Group Art Unit: 3737

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number or Bar Code Label	23865 (Insert Customer No. or Attach bar code label here)	or <input checked="" type="checkbox"/> Correspondence address below	
Name	Jonathan L. Pettit		
Address	Brobeck, Phleger & Harrison LLP		
	12390 El Camino Real		
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Name (Print/Type)	Jonathan L. Pettit	Registration No. (Attorney/Agent)	40,770
Signature	<i>Jonathan L. Pettit</i>		Date 8/27/2001

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$1255.00)

Complete if Known	
Application Number	To be assigned
Filing Date	Herewith
First Named Inventor	Bardy
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	032580.0028.UTL

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated

Deposit Account Number 50-1273

Deposit Account Name Brobeck, Phleger & Harrison LLP

 Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See
37 CFR 1.272. Payment Enclosed: Check Credit card Money Order Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Fee Code	Large Entity Fee (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge – late filing fee or oath	
127	50	227	25	Surcharge – late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,240	241	620	Petition to revive – unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

EXTRA CLAIM FEES

Extra Claims Fee from below Fee Paid

Total Claims 120 -20** = 100 X 9 = 900.00
Independent Claims 4 -3** = 1 X =

Multiple Dependent

Large Entity Small Entity Fee Description
Fee Code (\$)
Fee Code (\$)
103 18 203 9 Claims in excess of 20
102 80 202 40 Independent claims in excess of 3
104 270 204 135 Multiple dependent claim, if not paid
109 80 209 40 ** Reissue independent claims over original patent
110 18 210 9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$900.00)

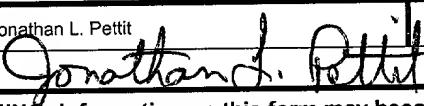
Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

*or number previously paid, if greater; For Reissues, see above

Complete (if applicable)

SUBMITTED BY	Complete (if applicable)		
Name (Print/Type)	Jonathan L. Pettit	Registration No. (Attorney/Agent)	40,770
Signature		Telephone	(858) 720-2500
		Date	August 27, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231

UTILITY APPLICATION

UNDER 37 CFR § 1.53(B)

TITLE: BIPHASIC WAVEFORM FOR ANTI-TACHYCARDIA PACING FOR A SUBCUTANEOUS IMPLANTABLE CARDIOVERTER-DEFIBRILLATOR

APPLICANT(S): GUST H. BARDY, M.D.; RICCARDO CAPPATO, M.D.; WILLIAM J. RISSMANN

Correspondence Enclosed:

Utility Application Transmittal Sheet and FY 2001 Fee Transmittal Sheet (2 pgs); Specification (74 pgs); Claims (26 pgs); Drawings (10 pgs); Abstract (1 pg); and Return Postcard

"EXPRESS MAIL" Mailing Label Number EL573394877US Date of Deposit August 27, 2001 I hereby certify under 37 CFR §1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231.



Burden Hour Statement This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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